

THE PROPOSED REPEAL OF THIS RULE RECEIVED FINAL APPROVAL BY THE UTAH STATE BOARD OF EDUCATION ON MAY 3, 2007. THE RULE HAS BEEN FILED WITH THE DIVISION OF ADMINISTRATIVE RULES AND IS SCHEDULED TO BE PUBLISHED IN THE JUNE 1, 2007 UTAH STATE BULLETIN, SUBJECT TO A 30-DAY COMMENT PERIOD, WITH A FIRST POSSIBLE EFFECTIVE DATE OF JULY 9, 2007.

**R277. Education, Administration.**

**~~[R277-611. Medical Recommendations by School Personnel to Parents.~~**

**~~R277-611-1. Definitions.~~**

- ~~A. "Board" means the Utah State Board of Education.~~
- ~~B. "Health care professional" means a physician, physician assistant, nurse, dentist, or mental health therapist.~~
- ~~C. "Medication" means any medicine, whether over-the-counter or prescription.~~
- ~~D. "Parent" means a parent or guardian having legal custody of a minor child.~~
- ~~E. "School personnel" means any school district employee, including licensed, part-time, contract and non-licensed employees.~~

**~~R277-611-2. Authority and Purpose.~~**

- ~~A. This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and supervision of public education in the Board, Section 53A-1-401(3) which permits the Board to adopt rules in accordance with its responsibilities, and Section 53A-1-402(1)(b) which directs the Board to adopt rules for student health and safety.~~
- ~~B. The purpose of this rule is to clarify for school personnel, parents and guardians the recommendations or directions that school personnel may make or give to parents or guardians about specific medications for their children.~~

**~~R277-611-3. Appropriate Observations and Reporting by School Personnel to Parents/Guardians.~~**

- ~~A. School personnel may provide information and observations to parents or guardians about their children. Such information or reports may include observations and concerns in the following areas:
  - ~~(1) progress;~~
  - ~~(2) health and wellness;~~
  - ~~(3) social interactions;~~
  - ~~(4) behavior;~~
  - ~~(5) topics consistent with the Utah Family Educational Rights and Privacy Act, Section 53A-13-302(6).~~~~
- ~~B. School district employees may refer students to other appropriate school district personnel and agents, consistent with local board policy.~~
- ~~C. School personnel may consult or use appropriate health care professionals in the event of an emergency while the student is at school consistent with student emergency information provided at student enrollment.~~
- ~~D. School personnel shall report suspected child abuse consistent with Section 62A-4a-403.~~

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~~E. School personnel shall comply with all applicable state and local Health Department laws, rules, and policies.~~

**~~R277-611-4. Inappropriate Medical Recommendations by School Personnel.~~**

~~A. School personnel shall not require that a student take or continue to take a specific medication as a condition for attending school.~~

~~B. School personnel shall not recommend a single specific health care professional or provider but may provide to a parent or guardian a list of two or more health care professionals or providers.~~

**~~R277-611-5. Local School Board Policy~~**

~~A. Local school boards shall have a policy providing for training of appropriate school personnel on the provisions of this rule.~~

~~B. The policy shall also provide procedures for discipline of non-licensed school personnel consistent with local board policy, and licensed personnel consistent with local board policy and R686-103, Professional Practices and Conduct for Utah Educators, for school personnel who intentionally violate state law or this rule.~~

**~~KEY: students, medical recommendations~~**

**~~Date of Enactment or Last Substantive Amendment: January 3, 2003~~**

**~~Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-401(3); 53A-1-402(1)(b)]~~**